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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE FACEBOOK, INC. and MARK ZUCKERBERG, Plaintiffs, v. CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, and WAYNE CHANG, Defendants.	CASE NO. 5:07-CV-01389-JW **CONNECTU'S ADMINISTRATIVE MOTION TO SEAL:** **(1) CONNECTU, INC.'S OPPOSITION TO FACEBOOK, INC. AND MARK ZUCKERBERG'S CONFIDENTIAL MOTION TO ENFORCE SETTLEMENT AGREEMENT;** **(2) SECOND DECLARATION OF EVAN A. PARKE IN SUPPORT THEREOF;** **(3) SUPPLEMENTAL DECLARATION OF ROBERT T. CLARKSON IN SUPPORT THEREOF;** **(4) DECLARATION OF ROBERT T. CLARKSON IN SUPPORT THEREOF;** **(5) DECLARATION OF CAMERON WINKLEVOSS IN SUPPORT THEREOF;** **(6) CORRECTED DECLARATION OF DONNA HITSCHERICH IN SUPPORT THEREOF; AND** **(7) [PROPOSED] ORDER DENYING THE CONFIDENTIAL MOTION BY THE FACEBOOK, INC. AND MARK ZUCKERBERG TO ENFORCE A PURPORTED SETTLEMENT AGREEMENT**

Dockets.Justia.com

Pursuant to Civil L.R. 7-11 and 79-5(d), ConnectU respectfully submits this administrative motion asking the Court to file under seal (1) ConnectU, Inc.'s Opposition To Facebook, Inc. And Mark Zuckerberg's Confidential Motion To Enforce Settlement Agreement; (2) Second Declaration Of Evan A. Parke In Support Thereof; (3) Supplemental Declaration Of Robert T. Clarkson In Support Thereof; (4) Declaration Of Robert T. Clarkson In Support Thereof; (5) Declaration Of Cameron Winklevoss In Support Thereof; (6) Corrected Declaration Of Donna Hitscherich In Support Thereof; And (7) [Proposed] Order Denying The Confidential Motion By The Facebook, Inc. And Mark Zuckerberg To Enforce A Purported Settlement Agreement.

The parties entered into, and the Superior Court of California, Superior County issued, a Stipulated Protective Order on January 23, 2006, prohibiting either party from filing in the public record any documents that have been designated as "Confidential" or "Highly Confidential" pursuant to the protective order.

ConnectU, Inc.'s Opposition To Facebook, Inc. And Mark Zuckerberg's Confidential Motion To Enforce Settlement Agreement and documents filed in support thereof contain information that Facebook has asserted is covered by the Protective Order and/or are alleged by Plaintiffs to implicate confidentiality provisions found in a purported agreement which is the subject of dispute between the parties.[1]

ConnectU requests that its Opposition To Facebook, Inc. And Mark Zuckerberg's Confidential Motion To Enforce Settlement Agreement and documents filed in support thereof remain sealed.

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[1] By filing this request to seal, ConnectU does not waive any arguments or rights as to (i) the admissibility or inadmissibility of evidence surrounding the purported agreement, (ii) the confidentiality or non-confidentiality of information relating to the purported agreement, or (iii) the enforceability or unenforceability of the purported agreement.

Dated: June 2, 2008

/s/ *Steven C. Holtzman*
Steven C. Holtzman

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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on June 2, 2008.

Dated: June 2, 2008

/s/ *Steven C. Holtzman*
Steven C. Holtzman